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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/064,704

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Chun-Jen Chen

8824-US-PA

9333

43831

7590

10/05/2006

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EXAMINER

GIBBS, HEATHER D

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/064,704	Applicant(s) CHEN ET AL.	
	Examiner Heather D. Gibbs	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2002.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 47-57 is/are allowed.
- 6) ☒ Claim(s) 1-34, 36-40 and 43-45 is/are rejected.
- 7) ☒ Claim(s) 25, 26, 35, 41, 42 and 46 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-13, 16-17, 19-24, 28-31, 33-34, 36-40, 44-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kawabe et al (US 5,812,176).

Regarding claim 1, which is representative of Claims 10, 19-20, 31, 36, Kawabe teaches an image compensation method, comprising the steps of providing a light source; providing a carrier having a plurality of grooves and plurality of reflecting elements, wherein the grooves are on the surface of the carrier and the reflecting elements are attached to the surfaces of the carrier inside the grooves, the light source is enclosed within one of the grooves, and each reflecting element reflects light from the light source to produce a beam of light having a unique color; moving either the carrier or the light source so that the light source is displaced from the groove; rotating the carrier so that the one of the groove openings aligns with the light source; moving either the carrier or the light source so that the light source is back into another groove (Col 9 Lines 40-59; Fig 1).

The limitations of grooves are determined to be that of design choice.

For claim 2, which is representative of Claims 11,21, and 37, Kawabe discloses wherein the light reflected from the reflecting element when illuminated by the light source is biased toward the color red (Col 9 Lines 45-59).

Regarding claim 3, which is representative of Claim 12,22, and 38, Kawabe disclose wherein the light reflected from the reflecting element when illuminated by the light source is biased towards the color blue (Col 9 Lines 45-59).

Regarding claim 4, which is representative of Claims 13,23, and 39, Kawabe disclose wherein the light reflected from the reflecting element when illuminated by the light source is biased towards the color green (Col 9 Lines 45-59).

For claim 5, which is representative of claims 14,24,40, Examiner finds the limitation wherein the light source is a daylight lamp to be one of design choice.

For claims 7-9, which is representative of Claims 16-18,28-30,33-34, and 44-45, Kawabe teaches wherein at least one of the reflecting elements has multiple sections and wherein at least one of the reflecting elements is divided into a plurality of regions and at least one of the regions is painted in a single color, a mix of two colors or a mix of multiple colors (Col 9 Lines 40-59).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6,15,27,32,43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawabe et al (US 5,812,176) in view of Takeda et al (US 5,818,033).

Kawabe discloses the image compensation method as discussed above.

Kawabe does not disclose expressly wherein at least one of the reflecting elements has a reflecting region such that a width at both ends of the reflecting region is greater than the width in the middle.

Takeda discloses wherein at least one of the reflecting elements has a reflecting region such that a width at both ends of the reflecting region is greater than the width in the middle (Col 3 Lines 46-57; Fig 4).

Kawabe & Takeda are combinable because they are from the same field of endeavor, image compensation methods.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Takeda with Kawabe.

The suggestion/motivation for doing so would have been to improve color discrimination ability.

Therefore, it would have been obvious to combine Takeda with Kawabe to obtain the invention as specified in claims 6.

### ***Drawings***

5. Figure 25 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled

"Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Allowable Subject Matter***

6. Claims 47-57 are allowed.
7. The following is an examiner's statement of reasons for allowance: Claims 47-57 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches an image compensation method, comprising the steps of using an optical sensor chip to obtain a response graph of the color content of the three primary colors within a target light source and hence voltage values of the three primary colors within a given region of the optical sensor chip; using the response graph of the three primary colors to decide the color content of a compensating light beam and utilizing the voltage difference between the three primary colors to produce a compensating beam with suitable strength; and positioning a reflecting elements close to the light source so that light reflected from the reflecting element has color content identical to the required compensating beam and strength of the beam reflected from the reflecting element is identical to the strength of the required compensating beam, respectively, as set forth in Claim 47.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Claims 25-26,35,41-42,46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather D. Gibbs whose telephone number is 571-272-7404. The examiner can normally be reached on M-Thu 8AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Heather D Gibbs  
Examiner  
Art Unit 2625

hdg



THOMAS D.  
~~LEE~~ LEE  
PRIMARY EXAMINER